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NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 OAKLAND DIVISION

16 UNITED STATES OF AMERICA, ex rel.
JOSEPH AMICO,

CASE NO. C 15-1073 JSW

17 Plaintiff and Relator,
18 v.

UNITED STATES' CONSENT TO
VOLUNTARY DISMISSAL OF QUI TAM
ACTION; AND [PROPOSED] ORDER

19 WELLS FARGO & COMPANY; WELLS FARGO
20 BANK N.A.; WELLS FARGO ASSET
21 SECURITIES CORPORATION; WELLS FARGO
22 BANK MINNESOTA N.A.; WELLS FARGO
23 HOME MORTGAGE INC.; WELLS FARGO
24 VENTURES, LLC; WELLS FARGO
25 SECURITIES; WELLS FARGO FINANCIAL
SERVICES INC; WELLS FARGO FINANCIAL,
INC.,

26 Defendants.

27 Consent to Dismissal; and [Proposed] Order
28 C15-01073 JSW

1 COPIES MAILED TO SUBMITTING COUNSEL

1 1. On November 17, 2015, the United States moved to dismiss Relator Joseph Amico's *qui*
2 *tam* action under 31 U.S.C. § 3730(c)(2)(A) and 31 U.S.C. § 3730(e)(4), under seal and prior to service
3 on Defendants, with a hearing date noticed for February 12, 2016.

4 2. On December 2, 2015, Relator filed a Notice of Voluntary Dismissal Without Prejudice
5 under seal.

6 3. Pursuant to 31 U.S.C. § 3730(b)(1), the Government herein consents to dismissal of this
7 *qui tam* action, reserving all of its rights under 31 U.S.C. § 3730 with respect to Relator. More
8 specifically, to the extent Relator seeks to re-open this case, refile his *qui tam* action, or object to or
9 demand a share of a settlement relating to the conduct or claims at issue in this matter, the United States
10 reserves its right to renew or refile its pending motion to dismiss his claims with prejudice, or to
11 challenge Relator's claim to seek a share, or take any other action it deems appropriate.
12

13 4. The Government requests that all sealed contents of the Court's file in this action remain
14 under seal and not be made public or served upon the Defendants except for the Complaint, the Notice
15 of Voluntary Dismissal, the United States' Consent to Voluntary Dismissal of Qui Tam Action and this
16 Order.
17

18 5. The Government asks that the hearing on the motion to dismiss be vacated.
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BENJAMIN C. MIZER
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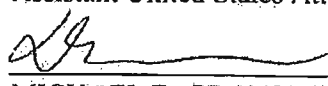
Dated: December 4, 2015

By:


JLA DEISS
Assistant United States Attorney

Dated: December 4, 2015

By:


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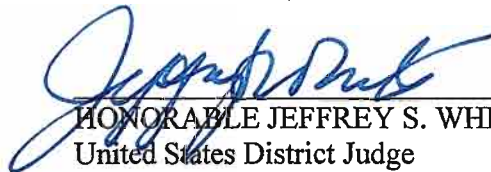
~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED:

1. This action is DISMISSED without prejudice as to Relator Joseph Amico and as to the United States.
2. The hearing on the United States' Motion to Dismiss is hereby vacated.
3. All sealed contents of the Court's file in this action shall remain under seal and not be made public or served upon the Defendants except for the Complaint, the Notice of Voluntary Dismissal, the United States' Consent to Voluntary Dismissal of Qui Tam Action, and this Order which are hereby unsealed.

IT IS SO ORDERED.

Dated: DEC 07 2015


HONORABLE JEFFREY S. WHITE
United States District Judge

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